

BEFORE THE INDIANA SUPREME COURT

INDIANAPOLIS, INDIANA

CASE NO. 20S-CB-186

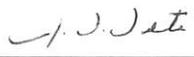
JENNINGS COUNTY CIRCUIT AND SUPERIOR COURTS  
EMERGENCY PETITION FOR ADMINISTRATIVE ORDERS PURSUANT TO  
ADMINISTRATIVE RULE 17

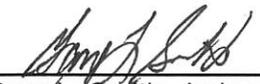
The Jennings Circuit and Superior Courts, having conferred with local officials, now petition the Indiana Supreme Court for relief under Ind. Administrative Rule 17. In support of this petition, the courts inform the Supreme Court as follows:

- 1) That the courts of Jennings County have convened in banc to discuss an appropriate response to COVID-19.
- 2) That the courts of Jennings County have appointed Judge Jon W. Webster and Judge Gary L. Smith as the presiding Judges for this emergency with the understanding either may act in the absence of the other due to vacation, illness or attending to court duties outside of Jennings County.
- 3) That on March 6, 2020, Governor Eric Holcomb signed an Executive Order declaring an emergency related to 2019 novel coronavirus (COVID-19).
- 4) That on March 13, 2020, President Donald Trump declared a national emergency relating to COVID-19.
- 5) That on March 16, 2020, Governor Eric Holcomb announced that Indiana will adhere to the Center for Disease Control and Prevention (CDC) for large events and mass gatherings and also ordered bars, nightclubs and restaurants closed to in-person patrons.
- 6) That on March 18, 2020, the Jennings County Health Department made a recommendation that all county office buildings close to the general public and that individual offices should stay in their own areas until further notice.
- 7) That the CDC has determined that "social distancing" is a necessary strategy for the prevention of the further spread of COVID-19.
- 8) That the physical design and seating in individual courtrooms in Jennings County, when at or near capacity, prevent "social distancing" as recommended by the CDC.
- 9) That the judges of Jennings County request that the Supreme Court declare that an emergency exists warranting emergency measures pursuant to Ind. Administrative Rule 17.

- 10) The Jennings County Court Emergency Plan would take effect upon approval and remain in effect through and including April 15, 2020, with the possibility of a thirty (30) day extension upon request and the showing of ongoing emergency.
- 11) The Jennings County Court Emergency Plan is as follows:
- a. All civil proceedings would be suspended, except for petitions for protective orders, delinquency proceedings, and emergency CHINS proceedings;
  - b. All laws, rules and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and in all civil matters will be tolled whilst the Emergency Plan is in effect;
  - c. All criminal proceedings would be suspended except emergency motions and petitions, bond hearings, and initial hearings for persons held in-custody;
  - d. The courts may limit the attendance at hearings of "spectators" unnecessary to the proceeding to allow for safe separation within the courtroom of at least six feet between attendees (as six feet is the recommended social separation by the CDC);
  - e. The Jennings County Judges may exercise general jurisdiction over cases in each other's courts upon request and agreement with each other.
  - f. Admission to the Jennings County Courthouse shall be restricted to attorneys, necessary parties, and necessary witnesses to a hearing. The Courthouse security officer and court staff have the authority to limit admission.
  - g. The judges, in their discretion, may conduct or limit other court business, to ensure the orderly administration of justice based on local contingencies.
  - h. Once approved by the Indiana Supreme Court, this order shall be furnished to the Clerk of Jennings County and all local attorneys

Respectfully requested this 18<sup>th</sup> day of March, 2020 in Vernon, Jennings County, Indiana.

  
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Jon W. Webster, Judge  
Jennings Circuit Court

  
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Gary L. Smith, Judge  
Jennings Superior Court